

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 17, 2023**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ROGER B.,

Plaintiff,

-vs-

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

No. 4:22-CV-5158-WFN

ORDER GRANTING  
STIPULATED REMAND

Pending before the Court is the parties' Stipulated Motion for Remand. ECF No. 20. The Court has reviewed the file and Motion and is fully informed. Accordingly,

**IT IS ORDERED** that:

1. The parties' Stipulated Motion for Remand, filed August 14, 2023, **ECF No. 20**, is **GRANTED**.

2. Based on the parties' stipulation, the above-captioned case is **REVERSED** and **REMANDED** for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council shall instruct the administrative law judge to:

(a) Obtain a psychological or psychiatric consultative examination with cognitive testing;

(b) Reevaluate the opinion evidence of record;

(c) Reevaluate the Plaintiff's alleged symptoms;

(d) Reassess Plaintiff's residual functional capacity as necessary;

(e) Obtain supplemental vocational expert evidence if needed;

(f) Take any action necessary to complete the administrative record;

(g) Offer the claimant an opportunity for a hearing; and

1 (h) Issue a new decision.

2 3. All other pending motions are **DENIED AS MOOT**.

3 4. Judgment shall be entered for **Plaintiff**.

4 5. Upon proper request, Plaintiff will be entitled to costs under 28 U.S.C. § 2412(a)  
5 and reasonable attorney fees and expenses under 28 U.S.C. § 2412(d).

6 The District Court Executive is directed to file this Order, enter judgment in favor of  
7 the Plaintiff, provide copies of this Order and the Judgment to counsel and **CLOSE THIS**  
8 **FILE**.

9 **DATED** this 17th day of August, 2023.

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12 WM. FREMMING NIELSEN  
13 SENIOR UNITED STATES DISTRICT JUDGE

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